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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	AMENDMENT AND RESPONSE TO PAPER NO. 14
AKBARIAN ET AL.)	MAILED 08/14/03
)	
Serial No.: 09/620,892)	
)	
Filing Date: July 21, 2000)	Date Mailed: <u>December 15, 2003</u>
)	
Attorney Docket No.: CLX-501)	
(316.36))	
)	
Title: DRY-CLEANING)	
PROCESSES AND)	
COMPONENTS THEREFOR)	Examiner: KUMAR, Preeti.
)	
)	Group Art Unit: 1751
)	

Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313

AMENDMENT AND RESPONSE TO PAPER NO. 14 MAILED 08/14/03

Dear Sir,

Applicant is in receipt of Paper No. 14 mailed 08/14/03. Thank you for your continued expedient examination of the present Application.

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STATEMENT OF CLAIMS STATUS

Claims 5-9, 34-39, 41-53 and 56-62 are pending.

Claims 5-9, 34-39, 41-53, 56-62 are rejected.

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SUMMARY OF RESPONSE

DETAILED ACTION - NON-FINAL REJECTION

1. The Examiner states: " Claims 5-9, 34-39, 41-53, 53-62 are pending."
2. The Examiner states: " Claims 4, 40, are cancelled as indicated in paper no. 10 dated 02/28/03."
3. The Examiner states: " Claims 59-62 are amended as indicated in paper no. 10 dated 02/28/03."
4. The Examiner states: " The rejection of claims 5-9, 34-36, 38-39, 41-42 and 46-53 and 56-62 under 35 U.S.C. 102(b) as being anticipated by You et al. (WO 97/27354) is maintained for the reasons cited in the previous office action and further described below."
5. The Examiner states: " The rejection of claims 37 and 43-45 under 35 U.S.C. 103(a) as being unpatentable over You et al. (WO 97/27354 is maintained for the reasons cited in the previous office action."

RESPONSE TO ARGUMENTS

6. The Examiner states: " Applicant's arguments filed February 28, 2003 have been fully considered but they are not persuasive. Applicants amendment to claims 59-61 regarding the limitation that the absorbent stain receiving medium be selected from materials free of fluorescent whitening agents and other brighteners does not overcome the prior art of record. Specifically You et al. teach spot removal with brightener-free materials. You et al. also teach that the treatment members such as sponges or pads are brightener-free as well. You et al. go on to teach that the protuberances with project outwardly from the treatment face of the base of the device be made for brightener free monofilament fibers. See all of page 27. Specifically on page 28, paragraph 4, You et al. teach an embodiment comprising a sponge layer of about 1.5mm to about 7mm thickness having a plurality of fibrous protrusions extending outwardly therefrom, said protrusions comprising brightener free nylon 6,6 fibers. Thus, the teaching of You et al.

anticipate the material limitations of the instant claims. ”

NEW GROUNDS OF REJECTION

CLAIM OBJECTIONS

7. Examiner states: “ Claims 56-58 are objected to because of the following informalities: Claims 56-58 depend from cancelled claim 55. Appropriate correction is requires.”

CLAIM REJECTIONS - 35 USC § 112

8. Examiner states: “ Claims 5-9, 34-39, 41-53, 56-62 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically regarding claims 59-61, the phrase “such as”, “and/or” renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d). Also, the term “commercial-type” in claim 60, line 2 is a relative term, which renders the claim indefinite. The term “commercial-type” is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. (See Ex parte Copenhaver, 109 USPQ 118 (Bd. App. 1955)).”

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